

Amendment No. 1 to HB0684

Ramsey
Signature of Sponsor

AMEND Senate Bill No. 703

House Bill No. 684*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-815, is amended by deleting the last two sentences and substituting instead the following:

A wholesaler may deliver wine to the premises of a retail food store wine licensee any time at which the wholesaler and the retail food store wine licensee's manager mutually agree in accordance with the ordinary and customary practices of the two industries, regardless of whether the retail food store wine licensee is open to the public, and may deliver wine to a location upon the licensed premises as directed by the retail food store wine licensee.

SECTION 2. Tennessee Code Annotated, Section 57-3-815, is further amended by designating the existing language as subsection (a) and inserting the following as a new subsection:

(b) Notwithstanding subsection (a), a wholesaler, including the wholesaler's agents, servants, or employees, may provide merchandising assistance to a retail food store wine licensee pursuant to this subsection (b). Wholesalers may build and stock wholesaler displays of wine on the premises of a retail food store wine licensee. Wholesaler displays must not be part of the retail food store's regular shelving. Wholesalers may replenish wholesaler displays for a maximum period of one (1) month after the initial display has been installed. Wholesalers shall not price the wholesaler displays and shall not provide any other services or things of value to the retail food store wine licensee.

Amendment No. 1 to HB0684

Ramsey
Signature of Sponsor

AMEND Senate Bill No. 703

House Bill No. 684*

SECTION 3. Tennessee Code Annotated, Section 57-3-812(d), is amended by deleting the period at the end of the sentence and substituting instead the following:

; provided, that an order does not include a pre-order made by a person with a pending application for a retail food store wine license.

SECTION 4. Tennessee Code Annotated, Title 57, Chapter 5, Part 1, is amended by adding the following new section:

Any wholesale distributor of beer that has a valid wholesale license pursuant to this chapter is not required to obtain a separate license for the distribution of high alcohol content beer from the commission.

SECTION 5. Tennessee Code Annotated, Section 57-3-203(e)(1), is amended by adding the following new sentences at the end of the subdivision:

Nothing in this subdivision (e)(1) requires an employee of a wholesaler to obtain a permit unless the employee is directly involved with the delivery or sale of alcoholic beverages. Employees involved only in warehousing, administrative, or clerical services for a wholesaler are not required to obtain a permit under this subdivision (e)(1).

SECTION 6. Tennessee Code Annotated, Section 57-3-404(i), is amended by deleting the language "§ 57-3-803" and substituting instead "this chapter or any licensee licensed under chapter 4 of this title".

SECTION 7. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that

can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 8. This act shall become effective upon becoming a law, the public welfare requiring it.